

SIXTY-SIXTH DAY

(Thursday, May 6, 1971)

(Continued)

After Recess

The Senate met at 9:15 o'clock a.m., and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
May 6, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 213.

House conferees: Floyd, Chairman; Shannon, Kaster, Santiesteben, Simmons.

S. B. No. 43, A bill to be entitled "An Act relating to the appointment, powers and duties of reserve deputy sheriffs and reserve deputy constables, providing a severability clause; and declaring an emergency."

(With amendments)

S. B. No. 111, A bill to be entitled "An Act amending the Penal Code of Texas, 1925, making it unlawful to trespass upon land belonging to another; providing for punishment; providing for severability; and declaring an emergency."

(With amendments)

S. B. No. 160, A bill to be entitled "An Act relating to the right, power, and authority of the Coordinating Board, Texas College and University System to contract with the Texas College of Osteopathic Medicine to provide for the education of certain medical students; and declaring an emergency."

S. B. No. 225, A bill to be entitled "An Act amending and revising certain provisions of the Texas Probate Code; etc.; and declaring an emergency."

S. B. No. 457, A bill to be entitled "An Act relating to the rules and regulations that the commissioner of agriculture may make concerning certain types of seeds; etc.; and declaring an emergency."

H. C. R. No. 135, Congratulating Harry S. Truman on his 87th birthday.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

Reports of Standing Committees

By unanimous consent, Senator Hall submitted the following reports for the Committee on County, District and Urban Affairs:

H. B. No. 1201 (Floor report).

H. B. No. 705 (Floor report).

S. B. No. 953 (Floor report).

By unanimous consent, Senator Moore submitted the following report for the Committee on State Affairs:

S. B. No. 956.

By unanimous consent, Senator Watson submitted the following reports for the Committee on Insurance:

S. B. No. 708 (Amended).

H. B. No. 823.

H. B. No. 329.

S. B. No. 740.

Bills Removed From Local and Uncontested Bills Calendar

S. B. No. 684, S. B. No. 481, S. B. No. 439 and S. B. No. 750 were removed from the Local and Uncontested Bills Calendar by Senators Creighton, Grover, Sherman and Blanchard.

Bills Added to Local and Uncontested Bills Calendar

On motion of Senator Wilson, and by unanimous consent, S. B. No. 481 and S. B. No. 684 were added to the Local and Uncontested Bills Calendar.

Bills Added to Local and Uncontested Bills Calendar

On motion of Senator Word and by unanimous consent, S. B. No. 708, S. B. No. 956, H. B. No. 290, S. B. 953, S. B. No. 502 and H. B. No. 476 were added to the Local and Uncontested Bills Calendar.

House Bill 1201 Ordered Not Printed

On motion of Senator Hightower and by unanimous consent, H. B. No. 1201 was ordered not printed.

House Bill 705 Ordered Not Printed

On motion of Senator Hightower and by unanimous consent, H. B. No. 705 was ordered not printed.

Senate Bill 956 Ordered Not Printed

On motion of Senator Creighton and by unanimous consent, S. B. No. 956 was ordered not printed.

Senate Bill 708 Ordered Not Printed

On motion of Senator Watson and by unanimous consent, S. B. No. 708 was ordered not printed.

Senate Bill 953 Ordered Not Printed

On motion of Senator Mauzy and by unanimous consent, S. B. No. 953 was ordered not printed.

(President Pro Tempore in Chair.)

Local and Uncontested Bills Calendar

The President Pro Tempore announced that the time had arrived for the consideration of the Local and Uncontested Bills Calendar in accordance with a motion previously adopted by the Senate.

The following bills were laid before the Senate, read second time, passed to engrossment or third reading, read third time, passed: (Sponsor, vote on suspension of Constitutional Three Day Rule and final passage indicated after each bill)

S. B. No. 34 (Bates) (31-0) (31-0)

S. B. No. 293 (Hightower) (31-0) (31-0)

S. B. No. 294 (Hightower) (31-0) (31-0)

S. B. No. 301 (Hightower) (31-0) (31-0)

S. B. No. 331 (Bridges) (31-0) (31-0)

S. B. No. 420 (Kothmann) (31-0) (31-0)

S. B. No. 455 (Bates) (31-0) (31-0)

S. B. No. 482 (McKool) (31-0) (31-0)

S. B. No. 502 (Hall) (31-0) (31-0)

S. B. No. 516 (Hightower) (31-0) (31-0)

S. B. No. 528 (Hightower) (31-0) (31-0)

S. B. No. 535 (Herring) (30-1) Watson "Nay" (30-1) Watson "Nay"

S. B. No. 542 (Schwartz) (31-0) (31-0)

S. B. No. 563 (Mauzy) (31-0) (31-0)

S. B. No. 596 (Wilson) (31-0) (31-0)

S. B. No. 659 (Wilson) (31-0) (31-0)

S. B. No. 684 (Mauzy) (25-6) Watson, Blanchard, Creighton, Grover, Sherman and Ratliff "Nay" (23-8) Watson, Blanchard, Creighton, Grover, Sherman, Ratliff, Hightower and Aikin "Nay"

S. B. No. 689 (Mauzy) (31-0) (31-0)

S. B. No. 737 (Christie) (31-0) (31-0)

S. B. No. 739 (Brooks) (30-1) Grover "Nay" (30-1) Grover "Nay"

S. B. No. 801 (Brooks) (31-0) (31-0)

S. B. No. 813 (Schwartz) (31-0) (31-0)	H. B. No. 584 (Harrington) (31-0) (31-0)
S. B. 890 (Brooks) (30-1) Grover "Nay" (30-1) Grover "Nay"	H. B. No. 635 (Word) (31-0) (31-0)
S. B. No. 924 (Snelson) (31-0) (31-0)	H. B. No. 642 (Harrington) (31-0) (31-0)
S. B. No. 927 (Christie) (31-0) (31-0)	H. B. No. 667 (Patman) (31-0) (31-0)
S. B. No. 928 (Christie) (31-0) (31-0)	H. B. No. 704 (Aikin) (31-0) (31-0)
S. B. No. 934 (Bridges) (31-0) (31-0)	H. B. No. 705 (Aikin) (31-0) (31-0)
S. B. No. 936 (McKool) (31-0) (31-0)	H. B. No. 786 (Sherman) (31-0) (31-0)
S. B. No. 937 (Christie) (31-0) (31-0)	H. B. No. 787 (Harrington) (31-0) (31-0)
S. B. No. 940 (Mauzy) (31-0) (31-0)	H. B. No. 891 (Hall) (31-0) (31-0)
S. B. No. 941 (Mauzy) (28-3) Wat- son, Hall, Blanchard "Nay" (28-3) Watson, Hall, Blanchard "Nay"	H. B. No. 1035 (Brooks) (31-0) (31-0)
S. B. No. 951 (Watson) (31-0) (31-0)	H. B. No. 1175 (Patman) (31-0) (31-0)
S. B. No. 953 (Hall) (31-0) (31-0)	H. B. No. 1190 (Herring) (31-0) (31-0)
S. B. No. 956 (Creighton) (31-0) (31-0)	H. B. No. 1201 (Aikin) (31-0) (31-0)
S. B. No. 963 (Christie) (31-0) (31-0)	H. B. No. 1259 (Patman) (31-0) (31-0)
H. B. No. 104 (Sherman) (31-0) (31-0)	H. B. No. 1598 (Connally) (31-0) (31-0)
H. B. No. 217 (Herring) (31-0) (31-0)	H. B. No. 1628 (Connally) (31-0) (31-0)
H. B. No. 238 (Connally) (31-0) (31-0)	H. B. No. 1704 (Bates) (31-0) (31-0)
H. B. No. 290 (Patman) (31-0) (31-0)	S. C. R. No. 82 (Mauzy) (31-0)
H. B. No. 403 (Bates) (31-0) (31-0)	H. C. R. No. 7 (Bridges) (31-0)
H. B. No. 438 (Word) (31-0) (31-0)	
H. B. No. 476 (Aikin) (31-0) (31-0)	
H. B. No. 532 (Herring) (31-0) (31-0)	
H. B. No. 572 (Harrington) (31-0) (31-0)	
H. B. No. 573 (Harrington) (31-0) (31-0)	
H. B. No. 574 (Harrington) (31-0) (31-0)	

The following bills were laid before the Senate, read second time, amended, passed to engrossment, read third time and passed: (Amendment(s) printed following bill number, as well as vote on suspension of Constitutional Three Day Rule and final passage)

S. B. No. 5 (Hall)—

Senator Hall offered the following amendment to the bill:

Delete all below the enacting clause in S. B. 5 and substitute therefor the following:

Section 1. Article 1941, Revised Civil Statutes of Texas, 1925 is here-

by amended by adding thereto a new section, to be identified as Article 1941(a), which shall read as follows:

"Article 1941a. MICROFILM RECORDS OF COUNTY CLERKS.

"Sec. 1. MICROFILMING IS PERMISSIVE. (a) County clerks and county recorders and clerks of county courts are hereby authorized in their sole discretion, to adopt and thereafter to use exclusively, for the purpose of recording, preserving and protecting public records in their custody and control, or for the purpose of obtaining economical recording costs for such public records, or for the purpose of reducing and conserving the space required for filing, storing and safekeeping of such public records, or for the purpose of providing efficient retrieval of such public records, or for any similar purpose or purposes, a micro-photograph or microfilm process or processes which accurately and permanently copies or reproduces, or forms a medium for copying or reproducing the original record on a film, in lieu of any other process, processes, method, or methods authorized or required, for filing, for filing and registering, or for filing and recording all instruments of writing, legal documents, papers or records authorized, permitted or required to be filed or to be filed and registered or to be filed and recorded in the offices of county clerks, or of county recorders, or of clerks of county courts; subject to the conditions and requirements hereinafter set out and specified in this Act.

"Sec. 2. OFFICIAL PUBLIC RECORDS: (a) Said instrument of writing, legal documents, papers or records authorized, permitted or required to be filed, or filed and registered, or filed and recorded in the offices of said county clerks and county recorders and clerks of county courts, shall be divided into seven types or classes of records for recording by micro-photograph or microfilm process or processes as described hereinbelow. The recording and indexing of said instrument of writing, legal document, paper, or record in an Official Public Record which is on microfilm imparts notice in like manner and effect as if recorded in separate books or films and as if recorded in each Official Public Record described hereinbelow. Each of said classes or types of records shall be recorded on a separate series

of rolls of microfilm, or on a separate series of discrete groups of separate and individual discrete microfilm images. Each of such rolls of microfilm shall be deemed to be a bound volume or book and each image on each of said rolls shall be properly identified for indexing purposes; and each of such separate series of discrete groups of separate and individual discrete microfilm images shall be deemed to be a bound volume or book and each discrete image of each of said discrete groups shall be properly identified for indexing purposes.

(b) The said seven types or classes of records for recording on microfilm shall be as follows:

"(1) Records relating to or affecting real property, the microfilm records of which shall be known as 'Official Public Records of Real Property';

"(2) Records relating to or affecting receivables, chattels and personal property, the microfilm records of which shall be known as 'Official Public Records of Personal Property and Chattels';

"(3) Records relating or incidental to matters in probate, the microfilm records of which shall be known as 'Official Public Records of Probate Courts';

"(4) Records relating or incidental to matters in county civil courts, the microfilm records of which shall be known as 'Official Public Records of County Civil Courts';

"(5) Records relating or incidental to matters in county criminal courts, the microfilm records of which shall be known as 'Official Public Records of County Criminal Courts';

"(6) Records relating or incidental to matters in commissioners court, the microfilm records of which shall be known as 'Official Public Records of Commissioners Court'; and

"(7) Records relating to or affecting persons, business entities and/or agencies of government, other than property records, both real and personal, court proceedings and court records as described in sub-paragraphs (1) thru (6) above, the microfilm records of which shall be known as 'Official Public Records of Governmental, Business and Personal Matters'.

"(c) Releases, transfers, assignments and other actions relating to any instruments of writing, legal document, paper, or record, which has been recorded in an Official Public Record, shall be made by separate instruments of writing, documents, papers or records filed, or filed and registered, or filed and recorded in the same manner provided for herein for said original instrument of writing, legal document, paper or record; and no entry, marginal or otherwise, shall be made on any record, or index, or records, or indexes, previously made.

"Sec. 3. MICROFILM RECORDS DEEMED ORIGINAL RECORDS; CERTIFIED COPIES. (a) The microfilm records provided for in this Act shall be deemed to be original records for all purposes and shall be so accepted by all courts and administrative agencies of this state; and transcripts, exemplifications, copies, or reproductions on paper or on film of an image or images of said microfilm records, when issued and certified to by said clerk, shall be deemed to be certified copies of the originals for all purposes and shall be so accepted by all courts and administrative agencies of this state.

"Sec. 4. INDEXES. (a) Each such instrument of writing, legal document, paper or record which is recorded in an Official Public Record, as provided in Section 2(a) (1) thru 2(a) (7) hereinabove, shall be indexed and cross-indexed in the indexes to the Public Record in which it is recorded in the full and perfect alphabetical order of the names of the parties as definitely identified therein in each such instrument of writing, legal document, paper or record.

"(b) In addition to the names of the parties, each entry in an index for the appropriate Official Public Record described in Section 2(a) (1), 2(a) (2) and 2(a) (7) shall include: an abbreviated description of the nature of such instrument of writing, legal document, paper or record as shown therein, including the name of the record in which it would have been recorded under existing laws pertaining to bound volume records and to other records in the Recorder's office; the time and date of filing; the location of the recorded image or images on microfilm by roll number, or by group number, and image number or numbers, or by other suitable data; an abbreviated description of the property, if any, or an abbreviated descrip-

tion of a lien or mortgage, if any, or of other reference, if any, to former recorded data, or such additional information as will properly identify each index entry as pertaining to the particular type of record to which the index applies.

"(c) In addition to the names of the parties in actions in county courts, each entry in an index for the appropriate Official Public Record described in Section 2(a) (3) thru 2(a) (6) shall include the nature of the cause or action, the date the cause or action was opened or taken, the court in which the cause or action lies, the docket number, such other data which would assist in further identifying the cause or action being indexed, and the location of the recorded image or images on the microfilm by roll number, or by group number, and image number or numbers, or by other suitable data.

"(d) Such alphabetical indexes shall be revised periodically throughout each year so that there will be a full and perfect alphabetical index to each of said Public Records for each full calendar year.

"(e) Registers shall be kept up to date of court docket numbers in perfect numerical sequence for each type Court Record, and shall include essentially the same data as is contained in the indexes.

"(f) Such other Registers of file numbers shall be kept as will be of assistance to the public, and shall include essentially the same data as is contained in the indexes.

"(g) No marginal entry or entries shall be required to be made by said clerks on indexes previously completed.

"Sec. 5. STANDARDS FOR MICROFILM RECORDS. (a) Should a Public Records Commission of Texas be authorized by law, all microfilming shall be done in accordance with reasonable rules and regulations, and under the general supervision, of said Commission; otherwise the county clerk shall establish the reasonable rules and regulations and have complete control of the microfilming in the county clerk's office in accordance with the following.

"(b) Each original negative roll, and each original negative discrete image, of microfilmed records shall meet all of the requirements for archival quality, for density, for resolution and for definition, of the Public

Records Commission of Texas, if there be one, otherwise of the United States Bureau of Standards.

"(c) For each roll, or part of a roll, of microfilm to be an official original record, the first image on the roll, or part of a roll, shall be of a Title Page showing the name of the Official Record, the starting identification number, the date, and a certificate of the county clerk signed by the camera operator; and the last image on the roll, or part of a roll, shall be of a Certificate of Legality and Authenticity certifying that 'the microfilming of the images between the Title Page and the Certificate of Legality and Authenticity has been in strict accordance with Article 1941(a), V.A.C.S. of Texas, and that each image is a true, correct, and exact copy of the page or pages of the identified instrument of writing, legal document, paper, or record which had been filed for record on the date and at the time stamped on each; that no splice was made in the original negative film between the Title Page and this Certificate'; followed by the name of the Official Record, the starting image identification number of the Title Page and the ending image identification number of the Certificate of Legality and Authenticity, the date microfilmed and the certificate of the county clerk signed by the camera operator; if the camera operator is a deputy county clerk, or otherwise signed by the county clerk in person.

"(d) For each separate and individual image of a discrete group of discrete images of a microfilm record to be an official original record, the first image of the discrete group shall be of a Title Page showing the name of the Official Record, the starting identification number, the date, and a certificate of the county clerk signed by the camera operator; and the last image of the discrete group shall be of a Certificate of Legality and Authenticity certifying 'that the discrete numbered microfilm images between the Title Page and the Certificate of Legality and Authenticity has been in strict accordance with Article 1941(a), V.A.C.S. of Texas, and that each image is a true, correct, and exact copy of the page or pages of the identified instrument of writing, legal document, paper, or record which had been filed for record on the date and at the time stamped on each; that no

microfilm image or images was substituted for any original discrete microfilm image or images between the Title Page and this Certificate; followed by the name of the Official Record, the starting image identification number of the Title Page and the ending image identification number of the Certificate of Legality and Authenticity, the date microfilmed and the certificate of the county clerk signed by the camera operator. If the camera operator is a deputy county clerk, or otherwise signed by the county clerk in person.

"(e) At least one additional negative copy of each roll, or part of a roll, or of each discrete image of a group of discrete images, of the original negative microfilm shall be made. The original negative of each roll, or part of a roll, or of each discrete image of a group of discrete images, of microfilm shall be the security record and, in the absence of other statutory provision, shall be stored in a fireproof and burglarproof safe or locker outside of, and at a distance from, the courthouse. One negative copy of each roll, or part of a roll, or of each discrete image of a group of discrete images, of microfilm shall be used for making positive film prints and for no other purpose. Either negative copies or positive copies of film shall be used on projection devices or readers.

"(f) All original negative microfilm now in an office of a county clerk and which negative microfilm is of archival quality, or which is made into negative film of archival quality, and which has thereon the certificates of the county clerk is hereby designated original records for all purposes, and shall be so accepted by all courts and administrative agencies of this state.

"(g) Each image on each roll, or each discrete image of a group of discrete images, of microfilm shall be of such a size that its image can be projected with clear legibility and without distortion onto a view screen or view glass with such projected image being as large as, or larger than, the original instrument of writing, legal document, paper or record from which it was made.

"(h) Each image on a microfilm record shall be identified by a number by which it can be located quickly and easily, and which number shall be used in indexing such image.

"(i) Cameras used for microfilming shall meet or exceed the then current standards of the United States Bureau of Standards for the documentation of permanent records.

"(j) Suitable means shall be furnished for the public to quickly and easily locate and project onto a viewing screen or viewing glass the complete image of a desired record. Such projected image shall be as large as, or larger than, the instrument of writing, legal document, paper or record of which it is an image."

"Sec. 6. CHECKING AND PROVING MICROFILM RECORDS; RETURN OF ORIGINAL INSTRUMENTS; DISPOSITION OF PRINTED RECORDS. (a) Each county clerk and county recorder and clerk of county courts, whenever the original paper record is not retained in the files of the county clerk, shall reproduce from microfilm onto paper records each filmed image on each roll of microfilm, or each filmed image of the discrete group of filmed images of such paper records, and shall inspect and check each reproduced paper record against the original instrument of writing, legal document, paper or record for accuracy and clarity. Should the paper record which was reproduced from a microfilm image be defective in any respect due to the image or images on the microfilm, the original instrument of writing, legal document, paper or record, from which said defective reproduced paper record was made, shall be re-microfilmed on a subsequent roll of microfilm, or on a subsequent discrete image or images of a subsequent discrete group of individual images, to obtain acceptable images on microfilm.

"(b) Notwithstanding anything to the contrary provided by any other statute or statutes, when an instrument of writing, legal document, paper, or record has been microfilmed, reproduced from microfilm onto paper records and said reproduced paper record has been proven satisfactory by inspecting and checking as provided herein, said clerk is hereby authorized to, and shall, return each such instrument of writing, legal document, paper or record, excepting those involved in or relating to court matters and proceedings, to the party or parties who filed it.

"(c) Original instruments of writing, original legal documents, original

papers and original records, which have been filed relating to court matters and proceedings and which have been recorded on microfilm records, shall be retained in the files of the docket to which they relate until a written order of the court closes such docket, after which all of the records in such docket shall be microfilmed in time sequence to provide all of such records of a docket in an unbroken continuous sequence on one roll of microfilm, or in an unbroken continuous sequence of discrete images in a group of discrete images.

"(d) Upon the certificate of a county clerk of a county to the commissioners court of the county that the original negative microfilm of a designated microfilm record fully meets the requirements of the Bureau of Standards of the United States Government for archival quality, for density, for resolution and for definition of said original negative microfilm and, further, that microfilm film prints from said negative have been satisfactorily used by the public for five years, or more, said commissioners court may authorize by order of said court the disposal of the original paper records from which said microfilm records were made.

Section 2. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed, to the extent of conflict only, including but not limited to Articles 912a-10, 1220a, 1275, 1285, 1287a, 1939, 1941, 1942, 1943, 1944, 1945, 4524, 4546, 4582b, 5238, 5275, 5333, 5348, 5448, 5453, 5472c, 5472d, 5476a, 5486, 5506a, 5924, 5925, 5949, 6000, 6574, 6574a, 6574b, 6591, 6593, 6594, 6595, 6596, 6597, 6598, 6599, 6601, 6633, 6634, 6635, 6636, 6641, 6644, 6662, 6701, 6898, 6899-1, 6905, 6912, 6913, 6923, 6927, 7345a, 7361, and 7362, Revised Civil Statutes of Texas, 1925, as amended; Probate Code, Paragraphs 137(d) & (e), Acts 1965, 59th Legislature; and Business and Commerce Code, Chapter 721, Par. 9-403 thru Par. 9-407, Acts of the 61st Legislature, 1969.

Section 3. If any provision or provisions of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the

provisions of this Act are declared to be severable.

Section 4. The fact that there are no adequate controls over the use of microfilm as public records in Texas, and further, due to the crowded condition of the legislative calendar, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended; and said Rule is hereby suspended; and this Act shall take effect and be in force from and after its passage; and it is so enacted.

The amendment was read and was adopted.

Senator Hall offered the following amendment to the bill:

Amend the caption of Senate Bill 5 by deleting the entire caption and replacing it with the following:

"Relating to microfilming and retention of records by counties; amending Article 1941, Revised Civil Statutes of Texas, 1925; repealing all laws, or parts of laws, in conflict to the extent of conflict; providing for severability; and declaring an emergency."

The amendment was read and was adopted.

On motion of Senator Hall, and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (29-2) Watson and Sherman "Nay" (29-2) Watson and Sherman "Nay"

S. B. No. 149 (Mauzy)—

Senator Mauzy offered the following Committee Amendment to the bill:

Amend the quoted Section 5 of Section 1 of S. B. 149 on page 2 of the printed bill by adding after the words "professional person" on line 8 the words ", except lawyers," and by striking out the word "lawyers" on line 10 thereof.

The Committee Amendment was read and was adopted.

Senator Mauzy offered the following Committee Amendment to the bill:

Amend S. B. 149 by deleting Section 8 and renumbering the succeeding sections.

The Committee Amendment was read and was adopted.

On motion of Senator Mauzy and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (30-1) Grover "Nay" (30-1) Grover "Nay"

S. B. No. 295 (Hightower)—

Senator Mauzy offered the following amendment to the bill:

Amend S. B. 295 by adding the following language following the semi-colon on line 47 of the printed bill:

"One teacher aide for each two teacher units."

The amendment was read and was adopted.

On motion of Senator Hightower, and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0) (31-0)

(Senator Hall in Chair.)

S. B. No. 327 (Bridges)—

Senator Bridges offered the following Committee Amendment to the bill:

Amend S. B. No. 327, First Printing, by striking all below the enacting clause and substituting the following:

Section 1. Section 14a, Chapter 94, Acts of the 51st Legislature, Regular Session, 1949, as added by Section 4, Chapter 168, Acts of the 55th Legislature, Regular Session, 1957 (Article 4512b, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 14a. The Texas Board of Chiropractic Examiners, may refuse to admit persons to its examinations and may cancel revoke or suspend licenses or place licenses upon probation for such length of time as may be deemed proper by the Board for any one or more of the following causes:

"1. For failure to comply with, or the violation of, any of the provisions of this Act;

"2. If it is found that said person or persons do not possess or no longer possesses a good moral character or

is in any way guilty of deception or fraud in the practice of chiropractic;

"3. The presentation to the Board, or use of any license, certificate or diploma, which was illegally or fraudulently obtained, or the presentation to the Board of any untrue statement or any document or testimony which was illegally practiced in passing the examination;

"4. Conviction of a crime of the grade of a felony, or one which involves moral turpitude, or the procuring or assisting in the procuring of an abortion;

"5. Grossly unprofessional conduct or dishonorable conduct of a character likely to deceive or defraud the public; habits of intemperance; or drug addiction; or other habits calculated in the opinion of the Board to endanger the lives of patients;

"6. The use of any advertising statement of a character to mislead or deceive the public;

"7. Employing directly or indirectly any person whose license to practice chiropractic has been suspended, or associate in the practice of chiropractic with any person or persons whose license to practice chiropractic has been suspended, or any person who has been convicted of the unlawful practice of chiropractic in Texas or elsewhere;

"8. For advertising professional superiority, or for advertising the performance of professional services in a superior manner;

"9. The purchase, sale, barter, use, or any offer to purchase, sell, barter or use, any chiropractic degree, license, certificate, or diploma, or transcript of license, certificate, or diploma, in or incident to an application to the Board of Chiropractic Examiners for license to practice chiropractic;

"10. Altering with fraudulent intent, any chiropractic license, certificate or diploma, or transcript of chiropractic license, certificate or diploma;

"11. The impersonation of, or acting as proxy for, another in any examination required by this Act for a chiropractic license;

"12. The impersonation of a licensed practitioner, or permitting or allowing another to use his license, or certificate to practice chiropractic as defined by statute;

"13. Proof of insanity of the holder of a certificate, as adjudged by the regularly constituted authorities;

"14. That the holder thereof has failed to use proper diligence in the practice of chiropractic, or has been grossly inefficient therein;

"15. Advertising specific methods of practice; or advertising as a graduate of any specific school except in opening announcements and then only in biographical layout;

"16. Naming functional disorders of the human body in advertisements in the absence of relating same to the practice of chiropractic as authorized in Section 1 of this Act;

"17. Advertising in any publication or news media the prices for which chiropractic services are available; and the advertising of free services shall be deemed to be in violation of this Act, except under the auspices of chiropractic organizations recognized by the Texas Board of Chiropractic Examiners;

"18. Advertising in or through any media as a chiropractic specialist except as follows:

"A. 'Specializing in spinal alignment;'

"B. 'Specializing in the examination and adjustment of spinal disorders;'

"19. Advertising in yellow pages of telephone directories with ads in excess of two inches by one column except institutional advertising under the auspices of a chiropractic organization recognized by the Texas Board of Chiropractic Examiners;

"20. Failing to clearly differentiate a chiropractic office and/or clinic from any other business or enterprise; or

"21. Personally soliciting patients, or causing patients to be solicited, by the use of case histories of patients of other chiropractors."

Sec. 2. Chapter 94, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 4512b, Vernon's Texas Civil Statutes), is amended by adding a new Section 14b to read as follows:

"Section 14b. (a) In order for a license to be reinstated, an applicant for reinstatement shall be required to complete at least one week period of attendance at a chiropractic school, or college, recognized by the Texas Board of Chiropractic Examiners, for each year or fraction thereof that license

was suspended, revoked, or cancelled for any reason.

"(b) The Board may further require evidence of proper training, precaution, and safety in the use of analytical and diagnostic x-ray in conformity with the provisions of Article 4950f, Vernon's Civil Texas Statutes, and in conformity with all rules and regulations of the Texas Radiation Control Agency and the Texas State Department of Health. Nothing herein shall be deemed to alter, modify or amend the provisions of Section 1, Article 4512b, Vernon's Texas Civil Statutes, or to enlarge in any manner on the scope of the practice of chiropractic or the acts which a chiropractor is authorized to perform; and, provided further, that nothing herein shall be deemed to alter, modify or amend the provisions of Article 4510, Vernon's Texas Civil Statutes."

Sec. 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Committee Amendment was read and was adopted.

On motion of Senator Bridges and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (29-2) Creighton and Grover "Nay." (29-2) Grover and Creighton "Nay."

S. B. No. 481 (Mauzy)—

Senator Mauzy offered the following Committee Amendment to the bill:

Amend Senate Bill No. 481 by deleting subsection (b) on lines 20 through 21 and substituting in lieu thereof the following:

"(b) This course shall include study of installment purchasing of both real and personal property, budgeting, price comparison, finance charge comparison, and consumers' and creditors' rights and remedies."

The Committee Amendment was read and was adopted.

Senator Mauzy offered the following Committee Amendment to the bill:

Amend Senate Bill 481 by deleting the word "10th" on line 23 and substitute in lieu thereof the word "7th".

The Committee Amendment was read and was adopted.

Senator Mauzy offered the following amendment to the bill:

Amend S. B. No. 481 by deleting subsection (b) of Section 1 and substituting a new subsection (b) to read as follows:

"(b) This course shall include study of installment purchasing of both real and personal property, budgeting, price comparison, finance charge comparison, and consumers, and creditors' rights and remedies and shall be under the auspices of a certified homemaking teacher."

The amendment was read and was adopted.

On motion of Senator Mauzy and by unanimous consent, the caption was amended to conform to the body of the bill as amended (25-6) Watson, Blanchard, Creighton, Grover, Sherman and Ratliff "Nay." (23-8) Watson, Blanchard, Creighton, Grover, Sherman, Ratliff, Aikin and Hightower "Nay."

S. B. No. 607 (Herring)—

Senator Herring offered the following Committee Amendment to the bill:

Amend Section 6 of Senate Bill 607 by substituting a period for a comma following the phrase, "Articles 5160, R.C.S. of 1925, as amended," in the last paragraph of said Section 6, and striking the remainder of said paragraph.

The Committee Amendment was read and was adopted.

On motion of Senator Herring and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0) (31-0)

S. B. 708 (Watson)—

Senator Watson offered the following Committee Amendment to the bill:

Amend S. B. 708 by striking out all of S. B. 708 below the enacting clause and substituting in lieu thereof the following:

"Section 1. Section 4, Article 21.07, Texas Insurance Code, as amended, is amended by adding Subsection (f) to read as follows:

"(f) Every such agent who receives a license from the State Board of Insurance shall be deemed an independent contractor. An employer-employee relationship shall not exist unless a contract specifically designates such relationship in writing is entered into by the appointing insurer and the agent."

"Section 2. Section 4, Article 21.07-1, Texas Insurance Code, as amended, is amended by adding Subsection (e) to read as follows:

"(e) Every such agent who receives a license from the State Board of Insurance shall be deemed an independent contractor. An employer-employee relationship shall not exist unless a contract specifically designates such relationship in writing is entered into by the appointing insurer and the agent."

"Section 3. This Act shall be cumulative of all other existing laws, but in the event of any conflict between the provisions of this Act and the provisions of any existing law, the provisions of this Act shall prevail and all laws, or parts of laws, in conflict with the provisions of this Act are hereby repealed to the extent of such conflict only."

"Section 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The Committee Amendment was read and was adopted.

On motion of Senator Watson and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0) (31-0)

S. B. No. 718 (Harris)—

Senator Harris offered the following Committee Amendment to the bill:

Amend S. B. 718 by striking out all below the enacting clause and substituting therefor the following:

Section 1. The Texas Liquor Control Act, Chapter 467, Acts of the Second Called Session of the 44th Legislature, as amended, is hereby amended by adding at the end of Article I thereof a new Article 666-58, Texas Penal Code, to read as follows:

"Art. 666-58. Salvaging insured losses. Regardless of any other provision of the Texas Liquor Control Act, any person not otherwise permitted or licensed to sell alcoholic beverages but coming into possession of any alcoholic beverages as an insurer or an insurance salvor in the salvage or liquidation of an insured damage or loss sustained in Texas by a qualified permittee or licensee may sell such beverages in one lot or parcel to a duly licensed holder of a qualified permit or license without himself qualifying as a permittee or licensee. Provided, however, no alcoholic beverages unfit to be sold for public consumption may be so sold, and provided, further, immediately after taking possession of said alcoholic beverages the said insurer or insurance salvor shall register same with the Texas Alcoholic Beverage Commission, furnishing the Commission a detailed listing and exact location of the alcoholic beverages and posting with the Commission a surety bond in such amount as the Administrator may deem adequate to protect the State in relation to taxes due on such alcoholic beverages, if any; provided, the Texas Alcoholic Beverage Commission shall find same to be salable and provided, further, the person making such registration shall remit therewith a registration fee of ten dollars, which fee shall permit the sale of only the alcoholic beverages detailed in the said registration.

"It is further provided, however, that as to beer, its containers, or original packages which may come into the possession of any insurer or any insurance salvor in connection with the salvage or liquidation of an insured damage or loss sustained in Texas, the following procedure shall be followed as to disposition or sale:

"Upon being notified and furnished a list of any beer possessed and desired to be sold by any insurer or insurance salvor, the Commission shall immediately notify a holder of a General or Local Distributor's or Branch Distributor's License who handles the brand of beer and who operates in the county where said beer is located. If the beer is located in a dry area

or if no Distributor operates in the county, either the Distributor or Branch Distributor operating nearest said area handling the brand or the Manufacturer brewing said beer shall be notified. The insurer or insurance salvor, the Commission, and the Distributor or Branch Distributor or Manufacturer so notified shall jointly determine and agree as to whether or not said beer is in a salable condition. If said beer is determined not to be in a salable condition it shall be immediately destroyed by the Commission. If said beer is determined to be in a salable condition it shall be offered for sale to the Distributor or Branch Distributor or Manufacturer so notified. If offered to a Distributor or Branch Distributor, it shall be at the Distributor's or Branch Distributor's cost price less any state taxes if theretofore paid on such beer, F.O.B. its place of business, or if offered to a Manufacturer the price shall be the cost price to its nearest Distributor or Branch Distributor, less any state taxes if theretofore paid on such beer, F.O.B. said nearest Distributor's or Branch Distributor's place of business.

"Should said Distributor or Branch Distributor or Manufacturer not exercise the right to purchase any salable beer or any returnable bottles, containers or packages at their deposit price within ten (10) days, then the insurer or insurance salvor shall proceed to sell same as hereinabove otherwise provided.

"Having purchased such beverages in accordance with this Article, the purchasing duly licensed permittee or licensee may thereafter handle, possess, transport, sell, or otherwise dispose of beverages so acquired to the same extent and in the same way allowed as to other alcoholic beverages legally acquired by such permittee or licensee.

"It is further provided, however, that as to any liquor, its containers or original packages which may come into the possession of any insurer or any insurance salvor in connection with the salvage or liquidation of an insured damage or loss sustained in Texas, the following procedure shall be followed as to disposition or sale.

"Upon being notified and furnished a list of liquor that has been possessed and desired to be sold by an insurer or insurance salvor, the Commission shall immediately notify only the holder or holders of the Wholesaler's Per-

mit or General Class B or Local Class B Wholesaler's Permit who handle and regularly sell the brand or brands of liquor possessed and who operate in the county where said liquor is located. If the liquor is located in a dry area, only the Wholesalers operating nearest said area handling and regularly selling the brand or brands shall be notified. The Commission and the Wholesaler or Wholesalers and the Non-Resident Sellers or their Agents of the brand or brands possessed so notified, and the insurer or insurance salvor shall jointly determine and agree as to whether or not said liquor is in a salable condition. If said liquor is determined not to be in a salable condition, it shall be destroyed immediately by the Commission. If said liquor is determined to be in a salable condition, it shall first be offered for sale to the Wholesaler and the Non-Resident Seller of the brand or brands at their cost price, less any state taxes on said liquor if theretofore paid.

"Should any Wholesaler of the brand not exercise the right to purchase any salable liquor, containers or packages within ten (10) days, then the Commission shall proceed to sell same at public or private sales as hereinabove otherwise provided.

"The term 'salable,' as used herein, shall mean a finding that the beverage has not been adulterated and is fit for consumption, all tax stamps required by law have been affixed, and the labels are legible as to contents, brand and manufacturer. The salvor may reject any bid made on a part only of the whole salvage."

Section 2. The fact that under the present law there is no provision enabling the salvage of alcoholic beverages in handling insurance losses creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

The Committee Amendment was read and was adopted.

On motion of Senator Harris and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (29-2) Watson and Hall "Nay" (29-2) Hall and Watson "Nay."

S. B. No. 742 (Brooks)—

Senator Brooks offered the following amendment to the bill:

Amend Senate Bill 742 by striking the term "Section 4A" in the two places it appears and substituting in lieu thereof the term "Section 4 (a-1)".

The amendment was read and was adopted.

On motion of Senator Brooks and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0) (31-0)

S. B. No. 803 (Patman)—

Senator Patman offered the following Committee Amendment to the bill:

Amend S. B. No. 803 as follows:

1. Amend Section 4, subsection (a) by striking the period at the end of the second sentence after the words "to issue the bonds" and adding the words "or in which the city is located, or in the case of a navigation district, in the counties or parts thereof comprising the district."

The Committee Amendment was read and was adopted.

On motion of Senator Patman and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0) (31-0)

S. B. No. 920 (Kothmann)—

Senator Kothmann offered the following Committee Amendment to the bill:

Amend Section 2 of Senate Bill No. 920 by striking subdivision (1) and substituting in lieu thereof the following:

"(1) 'Eligible institutions' shall include any local government, state and federal health-related institutions and non-profit health-related institutions a unit of which is located within a medical center situated in any county of this state having a population of not less than 800,000 nor more than 1,200,000 inhabitants according to the most recent federal census. In addition to other activities, such entities must be engaged in health-related pursuits to become eligible institutions, and must be exempt from federal income tax."

The Committee Amendment was read and was adopted.

Senator Kothmann offered the following Committee Amendment to the bill:

Amend Senate Bill No. 920 by striking all above the enacting clause and substituting in lieu thereof the following:

**"A BILL
TO BE ENTITLED**

An Act authorizing the governing boards of local governmental, state and federal health-related institutions and certain non-profit health-related institutions located in certain medical centers in any county of the state having a population of not less than 800,000 nor more than 1,200,000 inhabitants according to the most recent federal census to form an association to operate a laundry system on a cooperative basis solely for the benefit of such institutions; providing for the establishment and operation of a cooperative laundry association with authority to acquire such property, borrow money, issue such bonds and other evidences of indebtedness as deemed necessary for the creation, operation, and maintenance of the system; providing that the association shall be tax free; enacting other provisions relating to the subject; providing this Act shall be cumulative of other existing laws; providing a severability clause; and declaring an emergency."

The Committee Amendment was read and was adopted.

On motion of Senator Kothmann and by unanimous consent, the caption was amended to conform to the body of the bill as amended. (31-0) (31-0)

Conclusion of Session for Consideration of Local and Uncontested Bills Calendar

The Presiding Officer (Senator Hall in Chair) announced that the session for the consideration of the Local and Uncontested Bills Calendar was concluded.

Recess

On motion of Senator Aikin the Senate at 10:45 o'clock a.m. took recess until 11:00 o'clock a.m. today.

After Recess

The President Pro Tempore called the Senate to order at 11:00 o'clock a.m. today.

Reports of Standing Committees

By unanimous consent, Senator Creighton submitted the following report for the Committee on Water and Conservation:

H. B. No. 1140.

By unanimous consent, Senator Moore submitted the following reports for the Committee on State Affairs:

H. B. No. 483.

H. B. No. 423.

S. B. No. 723.

S. B. No. 954.

C. S. S. B. No. 876 (Read first time).

S. B. No. 914.

S. B. No. 901.

By unanimous consent, Senator Hall submitted the following reports for the Committee on County, District and Urban Affairs:

S. B. No. 962 (Amended).

H. B. No. 803 (Floor report).

By unanimous consent, Senator Connally submitted the following reports for the Committee on Parks and Wildlife:

H. B. No. 824.

H. B. No. 775.

By unanimous consent, Senator Mauzy submitted the following reports for the Committee on Education:

C. S. S. B. No. 189 (Read first time).

S. B. No. 358 (Amended).

H. B. No. 672.

S. B. No. 918.

H. B. No. 130 (Floor report).

S. B. No. 406.

S. B. No. 942 (Floor report).

By unanimous consent, Senator Harrington submitted the following reports for the Committee on Interstate Cooperation:

S. B. No. 873.

S. B. No. 930.

**Senate Bills and Resolution
on First Reading**

By unanimous consent, Senator Patman moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit the introduction at this time, the following bills and resolution, the provisions of which were explained.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The following bills and resolution were then introduced, read first time and referred to the Committee indicated:

By Senator Patman:

S. B. No. 974, A bill to be entitled "An Act relating to a fee payable to the county clerk in certain counties for the administrative costs of handling temporary support orders pursuant to Article 604, Penal Code of Texas, 1925, as amended; amending the Code of Criminal Procedure, 1925, as amended, by adding a new Article 1065; and declaring an emergency."

To Committee on County, District and Urban Affairs.

By Senator Hightower:

S. B. No. 975, A bill to be entitled "An Act relating to reductions in the salaries of certain public employees

for the purpose of effectuating annuity purchase agreements; amending Section 1A, Chapter 22, Acts of the 57th Legislature, 3rd Called Session, 1962, as amended (Article 6228a-5, Vernon's Texas Civil Statutes); and declaring an emergency."

To Committee on State Departments and Institutions.

By Senators Patman, Kennard, McKool and Brooks:

S. B. No. 976, A bill to be entitled "An Act relating to the immunization of persons attending elementary or secondary schools or institutions of higher education; amending Section 2.09, Texas Education Code, as amended by S. B. No. 27, Acts of the 62nd Legislature, Regular Session, 1971, by adding Subsection (e); and declaring an emergency."

To Committee on Public Health.

By Senators Patman, Kennard, McKool and Brooks:

S. B. No. 977, A bill to be entitled "An Act relating to immunization data on individuals; amending Sections 1 and 2, Chapter 372, Acts of the 58th Legislature, 1963 (Article 4447d, Vernon's Texas Civil Statutes); and declaring an emergency."

To Committee on Public Health.

By Senators Patman, Kennard, McKool and Brooks:

S. B. No. 978, A bill to be entitled "An Act prohibiting the use of data obtained by persons conducting immunization surveys under the auspices of the State Department of Health in any suit against a physician involving an injury relating to the immunization of an individual; and declaring an emergency."

To Committee on Public Health.

By Senator Wallace:

S. B. No. 979, A bill to be entitled "An Act amending Section 1, Chapter 224, Acts of the 56th Legislature, 1959 (Article 1109j, Vernon's Texas Civil Statutes), relating to contracts for the acquisition of water supply systems, water distribution systems and sanitary sewer systems by cities and towns; validating contracts heretofore entered into for such purposes and the proceedings relative thereto; providing a non-litigation clause; pro-

viding a severability clause; and declaring an emergency."

To Committee on Water and Conservation.

By Senator Blanchard:

S. C. R. No. 91, Creating an interim Insurance Study Committee.

To Committee on Administration.

Senate Resolution 1161

By unanimous consent, Senator McKool offered the following resolution:

S. R. No. 1161, Creating an Election Law Study Committee.

The resolution was read and was referred to the Committee on Administration.

Senate Bill 578 Re-Referred

On motion of Senator Blanchard, and by unanimous consent, S. B. No. 578 was withdrawn from the Committee on Insurance and re-referred to the Committee on County, District and Urban Affairs.

House Bill 803 Ordered Not Printed

On motion of Senator Herring and by unanimous consent, H. B. No. 803 was ordered not printed.

House Bill 718 on Second Reading

On motion of Senator Snelson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 718, A bill to be entitled "An Act authorizing the commissioners court of Val Verde County to adopt zoning regulations for certain portions of the county frequented by citizens from all parts of this state; providing a penalty for violations; and declaring an emergency."

The bill was read second time.

Senator Snelson offered the following Committee Amendment to the bill:

Amend House Bill No. 718 by striking Section 5 and substituting the following:

Sec. 5. ZONING COMMISSION. (a) The commissioners court shall appoint

a zoning commission, to be composed of five members, to recommend the boundaries of the various original zoned districts, and appropriate regulations to be enforced therein. The commission shall make a preliminary report and hold public hearings thereon before submitting its final report, and the commissioners court shall not hold its public hearings or take action until it has received the final report of the commission. Written notice of all public hearings on proposed changes in classification shall be sent to all owners of property, or to the person rendering the same for county taxes, affected by such proposed changes of classification, and to all owners of property, or to the person rendering the same for county taxes, located within 200 feet of any property affected thereby, within not less than 10 days before any such hearing is held. This notice may be served by depositing a letter, properly addressed and postage paid, containing all necessary information, in the post office.

(b) The zoning commission consists of an ex officio chairman and four additional members. The chairman shall be a public official in Val Verde County, and shall be appointed by the Commissioners Court of Val Verde County to hold a term of office of two years. Initial appointment of the four additional members of the zoning commission shall be made by the commissioners court with members to be assigned terms of one, two, three, and four years. Thereafter, in the event of resignation, end of term, or vacancy occurring in the membership, new members shall be selected by the commissioners court. A vacancy in the office of ex officio chairman shall be filled by appointment of the commissioners court.

(c) The zoning commission may employ a secretary, and an acting secretary, and other technical and clerical help to be paid not in excess of an amount determined by prior order of the commissioners court.

(d) Members of the commission shall receive compensation in the amount of \$10 per month, and may also be entitled to expenses actually incurred while serving on the commission in accordance with the provisions of any order entered by the commissioners court to that effect. However, the chairman shall not re-

ceive compensation under this subsection if he receives compensation in his capacity as a public official in Val Verde County.

(e) No person may be appointed to, or serve on, the commission after his 70th birthday.

The Committee Amendment was read and was adopted.

On motion of Senator Snelson and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 718 on Third Reading

Senator Snelson moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 718 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Connally
Bates	Creighton
Beckworth	Grover
Bernal	Hall
Blanchard	Harrington
Bridges	Harris
Brooks	Herring
Christie	Hightower

Jordan	Schwartz
Kennard	Sherman
Kothmann	Snelson
Mauzy	Wallace
McKool	Watson
Moore	Wilson
Patman	Word
Ratliff	

House Bill 505 on Second Reading

On motion of Senator Snelson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 505, A bill to be entitled "An Act relating to and fixing the minimum and maximum salaries of the official shorthand reporters for the 51st and 119th Judicial Districts of Texas; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 505 on Third Reading

Senator Snelson moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 505 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

House Concurrent Resolution 126 on Second Reading

The President Pro Tempore laid before the Senate the following resolution:

H. C. R. No. 126, Memorializing Congress to request the Department of Transportation to modify proposed regulations on farm truck driver qualification.

The resolution was read.

On motion of Senator Connally and by unanimous consent, the resolution was considered immediately and was adopted.

House Bill 30 on Second Reading

On motion of Senator Word and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 30, A bill to be entitled "An Act relating to a decoration to be awarded to any member of the military forces of the state, whose performance has been such as to merit recognition for services performed in a superior and clearly outstanding manner; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 30 on Third Reading

Senator Word moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that

H. B. No. 30 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

Reports of Standing Committees

By unanimous consent, Senator Brooks submitted the following report for the Committee on State Departments and Institutions:

S. B. No. 975 (Floor report).

By unanimous consent, Senator Hall submitted the following reports for the Committee on County, District and Urban Affairs:

S. B. No. 974 (Floor report).

H. B. No. 833 (Floor report).

S. B. No. 578 (Floor report).

By unanimous consent, Senator Creighton submitted the following reports for the Committee on Water and Conservation:

H. B. No. 889.

H. B. No. 976.

House Bill 803 on Second Reading

On motion of Senator Herring and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 803, A bill to be entitled "An Act relating to the salaries of assistants to the county school superintendent in certain counties; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 803 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 803 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

House Bill 1563 on Second Reading

On motion of Senator Word and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1563, A bill to be entitled "An Act authorizing a Revolving Petty Cash Fund for the Parks and Wildlife Department for refunds of cash receipts subject to approval of State Auditors; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 1563 on Third Reading

Senator Word moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 1563 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Harrington
Bates	Harris
Beckworth	Herring
Bernal	Hightower
Blanchard	Jordan
Bridges	Kennard
Brooks	Kothmann
Christie	Mauzy
Connally	McKool
Creighton	Moore
Grover	Patman
Hall	Ratliff

Schwartz	Watson
Sherman	Wilson
Snelson	Word
Wallace	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

House Bill 640 on Second Reading

On motion of Senator Jordan and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 640, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Cypress Forest Public Utility District'; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 640 on Third Reading

Senator Jordan moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 640 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Beckworth
Bates	Bernal

Blanchard	Kothmann
Bridges	Mauzy
Brooks	McKool
Christie	Moore
Connally	Patman
Creighton	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Snelson
Harris	Wallace
Herring	Watson
Hightower	Wilson
Jordan	Word
Kennard	

The President Pro Tempore then laid the bill before the Senate on its third and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

House Bill 287 on Second Reading

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 287, A bill to be entitled "An Act relating to the term of office of Supervisors of the Bayview Municipal Utility District of Galveston County, Texas; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 287 on Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that

H. B. No. 287 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

House Bill 987 on Second Reading

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 987, A bill to be entitled "An Act to amend statutes to delete all reference to the District's power and authority to enter into a contract with the City of Houston with respect to compliance with the policy of such city on the formation of water

control and improvement districts within such city's extraterritorial jurisdiction; providing a severability clause; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 987 on Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 987 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

House Bill 1641 on Second Reading

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 1641, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Bellfort Public Utility District'; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 1641 on Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 1641 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Christie
Bates	Connally
Beckworth	Creighton
Bernal	Grover
Blanchard	Hall
Bridges	Harrington
Brooks	Harris

Herring	Ratliff
Hightower	Schwartz
Jordan	Sherman
Kennard	Snelson
Kothmann	Wallace
Mauzy	Watson
McKool	Wilson
Moore	Word
Patman	

**House Bill 83 Laid on Table
Subject to Call**

On motion of Senator Connally and by unanimous consent, H. B. No. 83 was Laid on Table Subject to Call.

**House Concurrent Resolution 58
on Second Reading**

The President Pro Tempore laid before the Senate the following resolution:

H. C. R. No. 58, Requesting the four major public service retirement systems in Texas to prepare an intra-state reciprocal retirement plan that provides for the preservation and continuity of earned retirement benefits and credits of public service employees who transfer between covered political subdivisions or agencies of government within the state.

The resolution was read.

On motion of Senator Harris and by unanimous consent, the resolution was considered immediately and was adopted.

House Bill 999 on Second Reading

On motion of Senator Connally and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 999, A bill to be entitled "An Act relating to the compensation and expenses of the district attorney of the 24th Judicial District, the compensation of his stenographer, and the appointment and compensation of an investigator or assistant district attorney; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 58 on Second Reading

On motion of Senator Herring and by unanimous consent, the regular

order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 58, A bill to be entitled "An Act relating to the issuance of permits for and the regulation of mass gatherings; providing a penalty for violations; and declaring an emergency."

The bill was read second time.

Senator Herring offered the following amendment to the bill:

Amend Subsections (a) and (b) of Section 10 in H. B. 58 by deleting the word "may" and inserting in lieu thereof the word "shall."

The amendment was read and was adopted.

Senator Herring offered the following amendment to the bill:

Amend Section 7(b) of H. B. 58 by deleting the word "shall" and inserting in lieu thereof the word "may."

The amendment was read and was adopted.

On motion of Senator Herring and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 58 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 58 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Grover
Beckworth	Hall
Bernal	Harrington
Blanchard	Harris
Bridges	Herring
Brooks	Hightower
Christie	Kennard
Connally	Kothmann
Creighton	Mauzy

McKool	Snelson
Moore	Wallace
Patman	Watson
Ratliff	Wilson
Schwartz	Word
Sherman	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 352 on Second Reading

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 352, A bill to be entitled "An Act relating to the salary of the judge of the Brazoria County Court of Domestic Relations; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 352 on Third Reading

Senator Schwartz moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 352 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

Senate Bill 111 With House Amendments

Senator Schwartz called S. B. No. 111 from the President's table for consideration of the House amendments to the bill.

The President Pro Tempore laid the bill and the following House amendments before the Senate:

Amendment No. 1

Amend S. B. 111, new Section 2, by striking the word "rights" after the word "camping" and before the word "be" as Section 2 was adopted on second reading.

Amendment No. 2

Amend Senate Bill No. 111 by adding a new Section 2 to read as follows and renumbering the remaining sections.

"Sec. 2. It is the specific intent of the Legislature that all existing laws pertaining to hunting, fishing, and camping rights be in no way changed or altered, and such hunting, fishing, and camping laws are to remain in force and effect to the same extent as they now exist."

The House amendments were read.

Senator Schwartz moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

Senate Bill 43 with House Amendments

Senator Schwartz called S. B. No. 43 from the President's table for consideration of the House amendments to the bill.

The President Pro Tempore laid the bill and the following House amendments before the Senate:

Committee Amendment No. 1

Amend Senate Bill 43 by striking out all of Section 3 and Section 4 in their entirety and substituting in lieu thereof the following; and re-numbering the following sections to conform.

Section 3. Because of the voluntary, non-paid and temporary nature of their duties, the provisions of Article 4413 (29aa), Vernon's Texas Civil Statutes (Senate Bill 10, Chapter 323, Acts, 61st Texas Legislature), shall not be mandatory as to the reserve deputy sheriffs and reserve deputy constables covered by this Act; provided, however, that persons appointed as reserve deputy sheriffs or reserve deputy constables shall be of good moral character and shall be adequately trained for the duties which they are assigned to perform, and that such training shall be attested to by the sheriff or constable by whom they are appointed. Any such reserve deputy sheriffs and reserve deputy constables, however, may qualify under such acts and will be eligible to be certified, and the sheriff or constable having any reserve deputies may require such certification.

Floor Amendment No. 1

Amend S. B. No. 43 by adding a new section appropriately numbered.

Any reserve deputy sheriff or reserve deputy constable shall have complied with all standards as to education requirements under state law as qualified peace officers.

Floor Amendment No. 2

Amend S. B. No. 43, second printing, by:

Striking all of lines 15 and 16 on page 2; and putting a period after the word officers at the end of line 14.

Floor Amendment No. 3

Amend S. B. No. 43 by adding a new section —, to read as follows:

— Such reserve deputy sheriffs and deputy constables will wear an emblem or badge at all times while on active duty, said badge bearing the words "Reserve Deputy Sheriff" or "Reserve Deputy Constable" as the case may be.

The House amendments were read.

Senator Schwartz moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

House Bill 976 Ordered Not Printed

On motion of Senator Kothmann and by unanimous consent H. B. No. 976 was ordered not printed.

House Bill 889 Ordered Not Printed

On motion of Senator Kothmann and by unanimous consent H. B. No. 889 was ordered not printed.

House Bill 889 on Second Reading

On motion of Senator Kothmann and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 889, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitu-

tion of Texas, known as 'Village Public Utility District'; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 889 on Third Reading

Senator Kothmann moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 889 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 976 on Second Reading

On motion of Senator Kothmann and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 976, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Booker Public Utility District'; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 976 on Third Reading

Senator Kothmann moved that the Constitutional Rule and Senate Rule

30 requiring bills to be read on three several days be suspended and that H. B. No. 976 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Connally	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bills on First Reading

The following local bills were introduced, read first time and referred to the Committee indicated:

By Senator Schwartz:

S. B. No. 980, A bill to be entitled "An Act amending Section 1, Chapter 183, Acts of the 57th Legislature, Regular Session, 1961 (Article 1641e, Vernon's Texas Civil Statutes), relating to biennial independent audits in certain counties; and declaring an emergency."

To Committee on County, District and Urban Affairs.

By Senator Schwartz:

S. B. No. 981, A bill to be entitled "An Act amending Section 1, Chapter 446, Acts of the 60th Legislature, Regular Session, 1967 (Article 2372r-1, Vernon's Texas Civil Statutes), relating to obtaining and maintaining historical landmarks in certain counties; and declaring an emergency."

To Committee on County, District and Urban Affairs.

By Senator Schwartz:

S. B. No. 982, A bill to be entitled "An Act amending Subsection (a), Section 1, Chapter 203, Acts of the 61st Legislature, Regular Session, 1969 (Article 6877-3, Vernon's Texas Civil Statutes), relating to duty hours of peace officers in certain counties; and declaring an emergency."

To Committee on County, District and Urban Affairs.

By Senator Schwartz:

S. B. No. 983, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Article XVI, Section 59, Constitution of Texas, to be known as 'League City Semi-Tropical Gardens Utility District', in Galveston, Texas; defining its boundaries; finding benefits to the land and other property in the district; prescribing its rights, powers, privileges, authority and duties and requiring supervision by the Texas Water Rights Commission; providing for its governing body; limiting its power to issue construction bonds; containing provision that its bonds are legal investments and incontestable for any cause; limiting the power of eminent domain to Galveston County, Texas, and providing that the district shall bear the sole expense of relocation of certain facilities; providing that except for its creation the district shall be subject to the provisions of Article 970a, Revised Civil Statutes of Texas; stipulating compliance with the laws of this state governing the creation of utility districts; providing for the selection of a depository; authorizing the sale of said bonds; authorizing the investment of bond proceeds; providing for notice of all elections; providing for the canvassing of returns of said elections; providing that the district's properties shall not be subject to taxation; containing provisions that its bonds are eligible to secure public deposits; providing a severability clause; and declaring an emergency."

To Committee on Water and Conservation.

Resolution Signed

The President Pro Tempore announced the signing by the President in the presence of the Senate after

the caption had been read, the following enrolled resolution:

H. C. R. No. 135.

House Bill 630 on Second Reading

On motion of Senator Moore and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 630, A bill to be entitled "An Act relating to making the inheritance tax applicable to certain property held in joint tenancy with right of survivorship; providing certain presumptions; etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

House Bill 630 on Third Reading

Senator Moore moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 630 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hightower
Bates	Jordan
Beckworth	Kennard
Bernal	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word

Nays—1

Snelson

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Bates
Beckworth	Bernal

Blanchard	Kennard
Bridges	Kothmann
Brooks	Mauzy
Christie	McKool
Connally	Moore
Creighton	Ratliff
Grover	Schwartz
Hall	Sherman
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word
Jordan	

Nays—2

Patman	Snelson
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Memorial Resolution

S. R. No. 1166—By Senator Schwartz: Memorial resolution for John W. McGaffey.

Welcome and Congratulatory Resolutions

H. C. R. No. 135—Extending warmest congratulations to President Harry S. Truman on his 87th birthday. (Amended.)

S. R. No. 1158—By Senator Beckworth: Extending commendation to C. Quentin Abernathy.

S. R. No. 1159—By Senator Sherman: Extending welcome to Perryton High School Band.

S. R. No. 1160—By Senator Aikin: Extending welcome to S. M. Weiss.

S. R. No. 1162—By Senator Mauzy: Extending welcome to Mr. and Mrs. J. R. Schmidt and family of Grand Prairie.

S. R. No. 1163—By Senator Word: Extending welcome to Texas History and Government classes from Cleburne High School.

S. R. No. 1164—By Senator Herring: Extending welcome to sixth grade class, Baker Elementary School.

S. R. No. 1165—By Senator Hall: Designating David Hedges as honorary page of Senate for today.

S. R. No. 1167—By Senator Schwartz: Extending congratulations to Mrs. Jake Kellner.

Adjournment

On motion of Senator Aikin the Senate at 12:10 o'clock p.m. adjourned until 11:00 o'clock a.m. Monday, May 10, 1971.

SIXTY-SEVENTH DAY

(Monday, May 10, 1971)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Wilson
Herring	Word
Hightower	

Absent—Excused

Connally	Watson
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A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Thursday, May 6, 1971, was dispensed with and the Journal was approved.

Leaves of Absence

Senator Watson was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senator Connally was granted leave of absence for today on account of important business on motion of Senator Aikin.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
May 10, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following: